

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

BAD RIVER BAND OF THE LAKE
SUPERIOR TRIBE OF CHIPPEWA INDIANS
OF THE BAD RIVER RESERVATION

Plaintiff,

v.

ENBRIDGE ENERGY COMPANY, INC., and
ENBRIDGE ENERGY, L.P.

Defendants.

Case No. 3:19-cv-00602

ENBRIDGE ENERGY, L.P.

Counter-Plaintiff,

v.

BAD RIVER BAND OF THE LAKE
SUPERIOR TRIBE OF CHIPPEWA INDIANS
OF THE BAD RIVER RESERVATION and
NAOMI TILLISON, in her official capacity

Counter-Defendants.

Judge William M. Conley
Magistrate Judge Stephen
Crocker

**DECLARATION OF MARLON SAMUEL IN SUPPORT OF ENBRIDGE'S
OPPOSITION TO THE BAND'S REQUESTED PERMANENT INJUNCTION**

I, Marlon Samuel, declare the following based on personal knowledge to which I am competent to testify:

1. I currently serve as the as the Vice President of Customer Service for Enbridge Energy, L.P. ("Enbridge"). I have been in that role for three years.

2. In my role, I provide full oversight to the Enbridge customer service team that manages pipeline system flows and deliveries to customers. I am also the primary contact point

with all Enbridge customers.

3. I previously held the roles of Director of Customer Service at Enbridge from 2017 to 2020.

4. Currently, Line 5 is operating at its near-capacity of 540,000 barrels per day of product, and has been since 2022. Line 5 continues to have strong demand for NGL and Light Crude from Eastern Canada and US PADD II Refineries.

5. I have reviewed the declarations submitted by representatives of Suncor, Imperial Oil Ltd., PBF Energy, Shell Canada Ltd, Plains, Cenovus, and United. Each are shippers on Line 5 and operate refineries that receive a significant percentage of their feedstock from Line 5.

6. Based on my experience and understanding of Enbridge system flows and my conversations on a frequent basis with these customers, I agree with the statements made by each refinery regarding the volumetric impacts leading to the decrease in processing rates that would be felt immediately if the court ordered an indefinite Line 5 shutdown.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: May 15, 2023



Marlon Samuel